

**UNCOMPAHGRE FIELD OFFICE
SPECIAL RECREATION PERMIT (SRP)
TERMS, CONDITIONS AND STIPULATIONS
FOR ALL PERMITTED ACTIVITIES
2009**

I. RISKS, HAZARDS AND SAFETY

A. Hazards related to climate, topography and terrain, waters, vegetation and wildlife, and man-made features are found on public lands and present risks which the permittee assumes. The permittee shall be responsible for inspecting sites, trails, roads, rivers and other authorized use areas for dangers and hazardous conditions, ensuring awareness by employees and clients of such risks and hazards, and promoting safe practices at all times.

B. Adequate first aid and safety equipment shall be provided while performing the permitted activities.

C. All guides and employees responsible for clients in the field shall be trained in First Aid, and hold a valid certification of training from the American Red Cross or its equivalent.

D. In case of human death, or wildfire, involving the permitted operation, the County Sheriff shall be notified immediately, and the BLM shall be notified immediately after the Sheriff is notified.

E. The permittee shall notify the BLM of any accidents involving the permitted operation which result in loss of consciousness, injury disabling individuals in excess of 24 hours, requiring medical treatment or search and rescue, or property damage in excess of \$100, and shall submit a detailed written report to the BLM within 10 days from the date of the accident. Other accidents shall be reported in the "Post Use Report".

F. Operation and maintenance of all sanitation, food services, and water supplies, systems, and facilities shall comply with the standards of the local department of health and the United States Public Health Service.

II. INDEMNIFICATION

A. The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.

B. **Insurance:** At a minimum, the permittee shall have in force public liability insurance covering:

(1) \$ 300,000 for damage to persons (bodily injury or death) per occurrence;

(2) \$ 30,000 property damage for any one occurrence.

(3) \$600,000 minimum annual aggregate limit.

C. A certificate of insurance shall be submitted, stating the limits of coverage, identifying the "United States Government" as additional insured, and that the insurer will give BLM thirty (30) days notice prior to cancellation or modification of such insurance.

D. All commercial clients, guides, and other employees operating under the Special Recreation Permit must be covered by the permittee's insurance.

III. APPLICABLE LAWS AND REGULATIONS

A. This Permit is subject to all applicable provisions of the regulations (43 CFR Group 2930 and 8300) which are made a part hereof.

B. The permittee shall observe all applicable Federal, State, and local laws and regulations while performing any authorized activity, including but not limited to: (1) operation, use and registration of motor vehicles, OHV's, aircraft, and boats; (2) hunting and fishing; (3) use of firearms; (4) injury to persons or destruction of property; (5) noise, air and water pollution; (6) littering; (7) drinking water and sanitation; (8) food service; (9) use of fire; and (10) business practices; (11) trespass on private land.

C. Permits involving the taking of game, including fish, shall be valid only when accompanied by a valid State Outfitters Registration. Permits involving river floating or guiding shall be valid only when accompanied by a valid State River Guide License.

D. All hunters shall comply with the Colorado Division of Wildlife hunter safety requirements.

E. Permittee shall comply with restrictions while operating in a Wilderness Study Area (WSA) as prescribed in 43 CFR 8500. Maps and information on WSA boundaries and restrictions are available at the BLM office.

F. Permittee shall comply with Off-Highway Vehicle (OHV) designations and restrictions in the area of operation as identified in the Resource Management plan and prescribed in 43 CFR 8340. Permit issuance does not waive any OHV use restrictions or license or registration requirements. Colorado State Law requires in-state all-terrain vehicles (ATV's) and previously non-licensed motorcycles be registered.

IV. LIMITATIONS

A. This permit authorizes only temporary use in connection with the operations, during the period(s), and in the area(s) identified in the Operating Authorization and approved operating plan.

B. Reassignment or Transfer: This permit may not be reassigned or transferred by the permittee for any reason whatsoever without prior BLM approval.

C. Use of Non-Public lands: This permit does not authorize use of non-BLM land (i.e. private, city, county, state, or other federal land).

D. Private Landowner Permission: The applicant shall provide upon request the name(s) and address(es) of private landowners whose property is used in connection with the permitted operations, and evidence of permission to use such land.

E. Access to Public Lands: The BLM does not guarantee legal access to public lands unless legal access for the general public is available. Where legal public access is not available, the permittee is responsible for obtaining permission from the landowner(s) to travel through or use private lands.

F. Multi-Year Permits: A multi-year permit is not valid unless accompanied by a current Annual Operating Authorization.

G. Joint Permit Requirement: This permit authorizes use of public lands in the Uncompahgre Field Office Area; use of public lands in other Field Office Areas, or National Forest lands must be approved under a separate or joint permit.

V. NON-EXCLUSIVE USE

A. The permittee, employees and clients shall not interfere with other valid uses of public land, including but not limited to grazing, mining, and other recreational uses by the general public or other permitted commercial operations.

B. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.

C. This SRP does not guarantee the permittee's sole use of public land areas, nor does it grant the exclusive use of any area.

D. Unless use allocations are in place, public lands will generally remain available on a first-come, first served basis to as many other commercial and private recreational users as desire to use them. Nothing herein implies that the first permittee into any area has been granted exclusive use or priority use.

E. BLM has no authority to permit or regulate use of non-BLM land (i.e., private, state, and other federal) unless provided for by cooperative agreement.

F. Nothing in this permit will be construed as a license for the permittee, employees, or clients to use areas of the public lands which are otherwise restricted or closed.

VI. PERMITTEE RESPONSIBILITY

A. The permittee is at all times responsible for all actions of their self, their employees, clients and guests on both public and private lands. They are also responsible for the actions of any concessionaires that may be operating under their permit authorization.

B. The permittee shall ensure that all persons operating under the authorization have obtained all required Federal, State, and Local licenses.

C. It is the permittee's responsibility to calculate all fees related to their permit (3% permit fees, concession fees, user fees, etc) as part of the Post Use Reporting process and submit those fees along with all required Post Use documentation by their permit deadline.

VII. CONCESSIONS

A. The sale of merchandise (i.e., T-shirts, books, posters, jewelry, etc.), promotional materials, food or drinks, or any other materials by either the permittee or a concessionaire operating under their permit on public lands must be approved by the authorized office.

B. The permittee is responsible for reporting the gross income for any concessions **authorized under their permit and conducting operations on public lands**, and for collecting 3% of those sales for inclusion in their final fee payments.

VIII. MODIFICATION OR AMENDMENT

A. The BLM reserves the right to alter the terms, conditions, and stipulations of this Permit at any time upon notice for reasons such as changes in law, policy or administrative procedure, to prevent use conflicts, to protect public safety, or to prevent resource damage.

B. The permittee shall request amendment or modification of the permit to provide for changes in: use areas or sites, season of use, services provided, fee structure, or any other changes in operations.

C. The BLM may restrict use or close sites or areas on public land, or require relocation of use sites or areas to prevent use conflicts, protect public safety, or prevent resource damage.

IX. PAYMENTS

A. Basis for Special Recreation Permits (SRP) Fee: The minimum annual fee is **\$90.00 (as of Feb 2008)** or three percent (3%) of the permittee's gross revenue (allowing certain discounts for lodging and transportation), whichever is greater. Gross receipts include total income which has been generated from the permitted activity before deducting costs such as insurance, prizes, other permit or license fees, etc. Gross receipts also include total supplemental money collected through sponsor contributions, other donations, the sale of clothing insignia, specialized equipment, or food and beverage when sold incidental to the permitted activity.

B. Commercial Permit Fee Payments: The minimum annual permit fee of **\$90.00 (as of Feb 2008)** is payable at the time the permit is issued. Additional fees will be calculated based on actual use and gross receipts reported in the permittee's Post Use Report completed at the termination of the permit. **It is the permittee's responsibility to calculate their final 3% permit fees on the Post Use Report and deduct any preseason payments.** Payment of final permit fees (via check) is due along with the Post Use Report and Trip Log by the permit deadline.

C. Advanced Fee Payments: BLM may require additional advanced payments, based on estimated use gross receipts, at the time of permit issuance. Payments shall be sent to the Uncompahgre Filed Office by check, money order or cashier's check, made payable to "*The Bureau of Land Management*".

PRESEASON PAYMENTS FOR RIVER-RELATED PERMITS

Pre-season payments are required for all Gunnison Gorge, San Miguel, Lower Gunnison, and Dolores River permits. The amount of the pre-season payment is equal to the **prior year's total fee payment or \$90.00**, whichever is greater. In cases where fees are in excess of \$1,000.00, the outfitter may make a preseason payment of one-half of the amount owed. For example, if the prior year **total fee** payment was \$2,500, the permittee would include a pre-season payment of \$1,250 in their application package for the next year's permit. The remainder of the payment will be due at Post Use Report deadline.

D. Fees for Concessions: In the case where concessions are approved as a part of the permit, the permittee is also responsible for collecting and paying 3% of the gross revenue from concession sales as part of their fee to BLM.

E. End of Season Payments: These fees are due at the same time the Post Use Reports are due. The actual use fee shall be calculated by the permittee from their use reports. If the actual use fee is greater than the advance payment(s) the permittee will **send in the balance due by the deadline time of the Post Use Report**. Requests for extension of payment dates must be approved by the Field Office Manager **PRIOR** to the end of the season and will not be granted after the Post Use Deadline has passed.

F. End of Seasons Payments for Multiple Permits: Companies that hold more than one permit are required to turn in **SEPARATE** year end reports and payments for each permit held. **DO NOT COMBINE PERMIT REPORTS or PERMIT PAYMENTS into one check.** An additional administrative charge of \$100.00 will be added to any combined permit payments.

G. Refunds:

1. In the event a SRP is not approved after advance payment is made during the application process, all payments except the **\$90.00** non-refundable application fee shall be refunded to the applicant without interest.

2. Advanced payments in excess of actual use fees due shall be applied towards the following year's permit payments unless a refund is requested in writing by the permittee. No refunds of less than ten dollars (\$10.00) will be made.

H. Late Payments: Late fees of \$100 or 10% of the overdue final payment amount (whichever is greater) will be added to **each** overdue fee payment for **each** month until all final fee payments are received in full. Continued late payment of fees may be cause for action against the permittee including permit probation, suspension, and/or revocation, interest and administrative handling charges, and criminal penalties.

X. USER OR IMPACT FEES (GUNNISON GORGE)

A. All private and commercial visitors (16 years of age and older) to the Gunnison Gorge Wilderness Area are required to pay user or impact fee. Fees are set at \$3 per person per day for day use only and \$10 per person for 1 night camping, \$15 per person for 2 nights of camping in the canyon. Annual passes are available at the trailheads for \$15.

B. Beginning on January 1, 2000, all commercial companies operating within the main Gunnison River corridor, from the Chukar Trail downstream to the Gunnison River Pleasure Park, are required to collect user fees from their customers prior to their trip and to report the total number of day trip and overnight clients (excluding guides) on their Post Use Report. Companies are to collect users fees in the amounts of \$3 per person for day use and \$5 per person per day for camping use (i.e., 1 night = \$10.00, 2 nights = \$15.00). Commercial guides are exempted from fees while on duty.

C. Permittees are required to calculate Gunnison Gorge User fees as part of their Post Use reporting requirements.

D. Payments of Gunnison Gorge user fees are due along with final SRP fees (paid by separate check) and Post Use Reports by close of business on October 31 annually.

E. Separate payments checks are required for user fees. DO NOT COMBINE USER FEE PAYMENTS WITH SRP (3%) PAYMENTS into one check. An additional administrative charge of \$100.00 will be added to any combined payments. Permittees with more than one Gunnison Gorge permit must submit separate user fee reports and payments for each permit held.

XI. USE REPORTS

A. Trip Log (Non-River Permits): Trip logs are the official record of business and must accurately show all dates of use, location, type of use, number of clients, number of staff, vehicles and livestock used, total gross receipts collected over the permitted season of use, and any authorized deductions claimed. **Permittees are responsible for completing trip logs and submitting them on the form provided by the BLM or an approved equivalent by the due date stated on their annual authorization. Fee penalties of \$100 per late report will be charged for any trips logs received after the deadline.**

B. Trip Logs (River and Walk/Wade Fishing Permits): Trip logs are the official record of business show all dates of use (including training trips), location, type of use, number of clients, number of staff, total visitor days, number of boats used, and total gross receipts collected over the permitted season of use. All training trips must also be shown on trip logs. Trip Logs shall be submitted as specified below on a form provided by BLM or an approved equivalent. **Fee penalties of \$100 per late report will be charged for any trip logs received after the deadline.**

Deadlines for Trip Logs

1. Trip Logs (Gunnison Gorge): Trip logs for all whitewater, float fishing and walk-wade fishing permits are due no later than **close of business on October 31 annually**.

2. Trip Logs (San Miguel River SRMA/ACEC): **Trip logs for whitewater and float fishing permits are due no later than the close of business on September 30 annually.** Walk-wade permit trip logs are due by the date stated on the annual authorization.

3. Trip Logs (Lower Gunnison, Uncompahgre River, etc.): **Trip logs for all permits are due no later than the close of business on September 30 annually**

C. River and Trailhead Registers (River and Walk/Wade Fishing Permits): Companies who operate in the **Gunnison Gorge** are required to sign-in at either the Chukar Put-In Register (float and walk/wade) or at the Ute, Bobcat, or Duncan Trailhead Registers (walk/wade fishing only) on the days of their use.

Boating companies who operate on **the San Miguel River** are required to sign river registers at the Deep Creek, Placerville, Specie Creek, or the Beaver Creek launch sites. Use data presented in trip logs must be consistent with the information reported by the company on a river register. Additional requirements for register sign-ins are contained in San Miguel River Supplemental Stipulations.

D. Post Use Reports: A Post Use Report shall be submitted as specified below on a form provided by the BLM or an approved equivalent. The post use report shall indicate accurately the total number of clients served during the term of the Permit, total staff and total use, total receipts, and total deductions claimed, and describe any accidents or injuries occurred, and management problems or concerns.

Deadlines for Post Use Reports

1. Gunnison Gorge: Post Use Reports for all whitewater, floatfishing and walk/wade permits are due no later than **October 31 annually**

2. San Miguel River SRMA/ACEC): Post Use Reports for whitewater and float fishing are due no later than **September 30 annually**. Walk-wade permits are due by the close of business on the date stated on the annual authorization.

3. Other Rivers (Lower Gunnison, Dolores, Uncompahgre): Post Use Reports for whitewater and float fishing are due no later than **September 30 annually**. Walk-wade permits are due by close of business on the date stated on the annual authorization.

4. Post Use Reports (Upland Areas): Post Use Reports are due **by the close of business on the date stated on the Annual Authorization.**

E. Late Use Reports: **Failure to submit trip logs, and/or post use reports will result in an assessment of late filing fees. Late fees of \$100.00 per late report will be charged for any trip logs or post use reports received after the deadline.** Continued late submission of use reports may be cause for action against the permittee, including permit probation, suspension, and/or revocation, and interest and administrative handling charges, and criminal penalties.

F. Penalties for Incomplete and/or Inaccurate Trip Logs & Post Use Reports: Trip logs and Post Use Reports are the official record of business and must accurately document all financial and use figures for the permitted use period. **Failure to provide complete and accurate use and financial information in trip logs and post use reports and other permit documents is a violation of BLM regulations. At a minimum, a \$100 administrative handling charge will be assessed for each incomplete and/or inaccurate document.** Depending on the severity of the violation additional penalties could include one or more of the following: written warnings or citations, late fees, additional interest and administrative handling charges, permit probation, suspension, and/or revocation, and criminal charges.

G. Non-Use: The authorized officer may cancel a permit, or reduce permitted use levels, after two consecutive seasons of unapproved non-use. In certain areas covered by Special Recreation Management Plans, travel management plans, or other site-specific plans, special provisions regarding non-use of permits may apply.

XII. INSPECTION OF RECORDS AND PREMISES

A. Permittee agrees to make all relevant books, documents, papers, and records of his/her operation available to BLM upon request (as outlined in 43 CFR 8372.5) for analysis by qualified representatives of BLM and other Federal agencies authorized to review BLM permitting activities.

B. BLM, or duly authorized representative, may examine upon request any of the records, including but not limited to bookings, client registers, financial records, leases or contractual agreements, licenses, or other documents related to the permitted operations.

C. For administrative purposes, including compliance checks, the permittee shall allow the BLM and its cooperators, including the Colorado Division of Wildlife, USDA Forest Service, and the Colorado Division of Parks and Outdoor Recreation, the right to enter their premises located on public land.

D. The permittee shall allow BLM and its cooperators reasonable access to private lands owned or utilized in the permitted operation for purposes related to administration of the permit.

E. Upland hunting permittee shall post a copy of the Permit or Operating Authorization in plain view at the base of operations and camps, where clients, BLM and Division of Wildlife officers have the opportunity to read it.

F. All permittees, guides and employees must carry a copy of the Permit or Operating Authorization while conducting operations on public lands, and they must be familiar with the Permit terms, conditions and stipulations.

XIII. SIGNING AND ADVERTISING

A. All signs and advertising must meet State of Colorado regulations regarding upland hunting and river outfitters.

B. All advertising shall be accurate and not misrepresent in any way the services or accommodations provided, or the area authorized for use. Brochures and other advertising materials shall include the following disclosure: ***"All or part of this operation is conducted on Public Lands under special permit from the U.S. Bureau of Land Management."***

C. Signs or advertising devices on public land require advance approval on the location, design, size, shape or color, and message.

XIV. CAMPSITES

A. Hunting outfitter camps may be set up for no longer than necessary, and no earlier than 5 days prior to the first day of use authorized and must be removed within five days after the authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.

B. Camps shall be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible shall be located out of sight of major trails.

C. All campsites and temporary improvements shall be as described in the approved operating plan.

D. All campsite facilities including but not limited to tents, latrines, livestock control facilities, shall be located **at least 150 ft.** from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.

E. Issuance of a permit does not authorize the permittee's use of public campgrounds.

F. Issuance of a permit by BLM (in areas outside the Gunnison Gorge Wilderness see below) does not guarantee the permittee's use of any specific campsite(s) in the Uncompahgre Field Office Area.

G. Designated Campsites (Gunnison Gorge Wilderness): All campsites in the Gunnison Gorge are designated for use by either boaters or walk-ins. Commercial boating and walk-in fishing trips in the Gorge are required to stay at sites designated for those purposes. See additional Gunnison Gorge registration requirements in Section XI. C. "River and Trailhead Registers (River and Walk/Wade Fishing Permits.)"

H. Designated Campsites (San Miguel River SRMA/ACEC): All commercial camping use with the San Miguel River Special Recreation Management Area and Area of Critical Environmental Concern must be in designated sites. See additional San Miguel registration requirements in Section XI. C. "River and Trailhead Registers (River and Walk/Wade Fishing Permits.)"

XV. CAMP FIRES

A. Unless permanent fireplaces are designated, open campfires shall be built only in areas that are presently free of trees and shrubs (at least 15 feet in diameter free of hazardous fuels.) Fire rings or pits shall be set on bare mineral soil.

After use, ashes shall be removed from all fire pits and packed out or dispersed in a manner agreed upon by the authorized officer. Depending on the site, the authorized officer may also require that the fire rings or pits be obliterated and the site rehabilitated. Open fires may be prohibited during periods of extremely high fire hazard by order of the BLM or the State of Colorado.

B. No new fire rings will be started where existing rings are available. The use of gas stoves or charcoal briquettes is strongly encouraged, and the packing of fuels may be necessary to supplement naturally available firewood.

C. No campfires will be left unattended and shall be completely extinguished upon leaving the site for any purpose. The permittee is responsible for all fires started by him/her self, employees, or clients start, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.

D. An axe, shovel, water bucket or extinguisher for fire control shall be available at each campfire.

E. Wildfire shall be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be placed in effect by BLM or the State of Colorado.

F. Open fires are prohibited along all river corridors within the Uncompahgre Basin Resource Area and the use of fire pans and charcoal is mandatory. Open fires are prohibited anywhere within the Gunnison Gorge Wilderness Area.

G. Fires and stoves are prohibited within old cabins or historic structures. Cutting or gathering firewood from historic structures or from standing trees (alive or dead) is prohibited.

XVI. LIVESTOCK USE

A. Authorized pasture use of livestock is temporary and limited to transportation purposes, and will not establish a priority for future use of the range. Rangeland grazing may be restricted and feed may be required to be packed in. The permittee shall prevent localized over grazing and damage to vegetation by permitted livestock.

B. Construction of permanent fences or corrals is not permitted.

C. Temporary livestock control structures may be erected, including corrals and hitching racks, provided they are approved by BLM and dismantled after the use season. The proposed construction and use of temporary structures must be stated in the operating plan.

D. The permittee may be required to pay additional fees for forage consumed by livestock during the permitted operations.

E. Livestock shall not be tied to trees for other than short term, temporary stops. Hobbles, pickets, highlines or corrals shall be used to control livestock.

F. Livestock control structures (corrals, hitching racks, pickets, highlines, etc.) must be at least 150 ft from springs, streams, lakes, reservoirs or other water sources.

G. Permittees using livestock are required to follow all regulations regarding the use of cubed, pelletized, or processed feed or certified weed-free hay.

XVII. EQUIPMENT CACHES

A. No food and/or equipment caches are allowed on public lands within the Uncompahgre Basin Resource Area unless specifically authorized by BLM.

B. When authorized, caches shall be neatly stored out of sight of roads and trails. Location of proposed caches must be described in the permit operating plan.

XVIII. RESOURCE PROTECTION

No one shall intentionally or wantonly destroy, deface, remove, or disturb any public building, sign, equipment, marker, or other government property, cultural site, historic structure, natural feature of the land, vegetation, or wildlife, except as legally taken.

A. Aesthetics: Permittee shall protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted grounds and areas to acceptable standards of repair, orderliness, and cleanliness.

B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area shall be left in a natural state.

C. Sanitation (Outside river corridors): Self contained or pit type toilets/privies, with or without tent coverings, shall be used at all campsites outside of river corridors on public land. The authorized officer will stipulate in the permit which type of toilet is needed to accommodate the proposed use, and may require that the permittee arrange for self-contained portable toilet rental at the camp or at the staging site of an event (i.e., competitive race, rally, festival, etc.) Waste from privately-owned or rented self contained toilets must be disposed of at a State approved sewage disposal facility. When abandoned, toilet pits shall be covered with a minimum of 12" of topsoil and back filled to pre-existing grade. While in use, human waste in pits shall be covered with a layer of topsoil or lime after each individual use. In some areas, the use of Wag Bag, Restop2 or similar carry-out devices for sanitation disposal may be approved. Permittees must propose the use of these bags in their operating plan and receive approval from the permitting official before using them in place of required self-contained portable toilets.

D. Sanitation (Within River Corridors): Reusable, washable portable toilets are required for all overnight float and/or walk/wade fishing trips. All human fecal matter will be packed out and disposed of at a State approved sewage disposal facility. There is a sanitation disposal station at the Gunnison Forks take-out. In some areas, the use of Wag Bag, Restop2 or similar carry-out devices for sanitation disposal may be approved. Permittees must propose the use of these bags in their operating plan and receive approval from the permitting official before using them in place of required self-contained portable toilets.

E. Trash Disposal: Grounds shall be regularly cleaned and no trash or litter shall be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire shall be packed out. Trash shall not be buried on public land.

F. Dead animals and their remains shall be disposed of at least 150' away from springs, streams, lakes, ponds, campsites, roads/trails.

G. Waste or by-products of any kind shall not be discharged into any stream, reservoir, lake or pond.

H. Soils: Permittee shall conduct the permitted operations in a manner which prevents severe rutting, or severe soil erosion.

I. Vegetation Damage/Removal: All operations shall be conducted in a manner which prevents damage to or loss of vegetation cover. Standing trees (alive or dead) may not be cut for use in constructing temporary facilities unless prior approval is obtained from BLM. Cutting or clearing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason shall require specific advance authorization. When tree cutting is authorized, stumps shall be left no higher than 6" above ground level and slash shall be lopped and scattered. No woodland/tree products shall be removed from public land without a separate permit for that use.

J. Firewood Cutting: If approved in the permit, firewood may be cut on public land only for campsite use while on public land, and may not be transported off the public lands without a separate firewood cutting permit. Only dead trees shall be cut for firewood, with stumps left no higher than 6" above ground level, and the slash shall be lopped and scattered.

K. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities or any other property found on public land shall not be damaged, destroyed, defaced, removed, or disturbed.

L. Cultural Resources: Archeological and historical values including, but not limited to, petroglyphs, ruins, historic structures, cabins and artifacts shall not be damaged, destroyed, removed or disturbed. Any hidden cultural values uncovered through authorized operations shall be left in place, and the Area Manager shall be notified of their discovery. Fires and stoves are prohibited inside old cabins or historic structures. Cutting or gathering firewood from historic structures, standing or collapsed, is prohibited.

M. Wilderness & Wilderness Study Areas (WSA): Use of electric generators, all motorized equipment including chainsaws and vehicles, is prohibited within a designated Wilderness and Wilderness Study Area. If supplemental livestock feed is used, cubed, pelletized, or processed feed or certified weed free hay shall be used.

N. Facility Construction: Construction of permanent facilities or improvements of any kind, including but not limited to roads, trails or structures, is not approved by this permit and shall require separate authorization.

XIX. PERFORMANCE EVALUATION

A. The BLM shall conduct periodic inspections and performance evaluations of the permittee's operations and compliance with the terms, conditions and stipulations of the Permit.

B. Violations in Other BLM/USFS Areas: Permit violations in this or any other BLM field office area or Forest Service district may also be cause for the BLM to deny approval of a Permit or Operating Authorization for subsequent years.

C. Denial of Permits for Affiliates: If a permit is canceled or suspended for any reason, you will not be allowed to circumvent that decision by having affiliates associated with you or your business apply to continue your operation.

D. Violations and Penalties: Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2930 which may include fines up to \$1,000 and/or imprisonment up to 12 months and/or civil penalties. Restitution may be levied for any damages and additional administrative penalties may be imposed including fines, permit revocation, suspension or probation.

1. Revocation: This permit may be canceled or revoked without compensation for any failure to comply with the terms, conditions and stipulations hereof, and operations on public land shall immediately cease upon cancellation. After a permit is canceled or revoked, any commercial use of public lands shall be in violation of federal regulations, and the Bureau may deny future authorization for use of public lands.

2. Suspension: This permit may be temporarily suspended, in whole or in part, without compensation for any failure to comply with the terms, conditions and stipulations hereof, and operations on public land shall cease immediately upon suspension. After a permit is suspended, any commercial use of public lands shall be in violation of federal regulations. The Bureau may reissue authorization for use of public lands after corrective action is taken by the permittee and the operation is under compliance with the terms, conditions and stipulations.

3. Probation: The permit may be placed under special scrutiny for any failure to comply with the terms, conditions and stipulations hereof, and operations on public land shall be allowed to continue while under probation.

Acceptable means that the permittee has generally operated in accordance with the terms and conditions established for the permit

Probationary means that the permittee has not operated in full accordance with the terms and conditions of the permit. Corrective action by the holder is mandatory and continued operation at this level of performance is unacceptable. Permittee will only qualify for a 1 year permit. If this performance level is received 2 years in a row, the authorized officer may suspend or terminate the permit and/or deny future permit applications.

Unacceptable means that the permittee has not operated in accordance with the terms and conditions of the permit and cannot be allowed to continue. This performance level will result in suspension, termination, or revocation of permit privileges as appropriate to the circumstances.

XVIII. CERTIFICATION

I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Date _____ Signature _____

Print Name _____

Company Name _____

This Certification page must be signed and returned with your application packet by August 31, 2008.